IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.188 OF 2006

in

CIVIL APPLICATION NO.256 OF 2005

in

FAMILY COURT APPEAL NO.1 OF 2004

Hema Atulchandra Kulkarni ... Applicant

vs

Atulchandra Madhukar Kulkarni ..Respondent

Ms.Anjali Helekar for Applicant

Ms.Seema Sarnaik for Respondent

CORAM: D.G.DESHPANDE AND SMT.ROSHAN DALVI, JJ

DATE : 12th December, 2006

P.C.

1. The wife-applicant was to sign the Release Deed. She had appeared before us on Friday 8th

December, 2006. On that day, she signed the Release Deed when the husband was also present. Both the advocates for the wife and for the husband admitted this fact.

2. Regarding clause (3) of the order dated 4th October, 2005/28th October, 2005 annexed at Exh B, Rs.4.5 lacs and Rs.2.5 lacs have been deposited by the husband in High Court. However, as per the order at Exh B these amounts should be invested by the Registrar General in R.B.I Bonds in the name of the wife i.e. Mrs Hema Atulchandra Kulkarni and son Varun.

3. The wife resides in Pune. We are told that she finds it difficult to come to this Court for filing up the said form for the said investment. The Registrar General shall forthwith transfer the said amount to Family Court, Pune. Family Court, Pune shall invest the same in R.B.I.Bonds in the name of the wife and son.

4. Further, as per this clause, the husband has to deposit Rs.3,00,000/- in RBI Bonds within four weeks of the execution of the Release Deed.

Advocate for the husband states that getting that amount from the bank may take time. Therefore, though the condition to remain as it is, the husband should have liberty to approach the Court for extention of time if need be. Advocate for the wife will agree to give extention.

5. The State Bank of India, Pune Main Branch is hereby directed to issue a cheque in respect of the amount lying deposited in PPF a/c of the wife Mrs.Hema Atulchandra Kulkarni and the son Varun in the name of the husband Atulchandra Kulkarni in view of the Release Deed signed by the wife.

6. After the husband deposits Rs.3,00,000/- in this Court, the Registrar General shall immediately transfer the said amount to the Family Court, Pune and Family Court, Pune shall invest the same in R.B.I.Bonds in the name of the wife and son.

7. Copy of the R.B.I. Bonds shall be given to the husband after they are issued as stated above.

8. C.A. disposed of.

(Smt R.S.Dalvi,J) **(D.G.Deshpande, J)**